

APR 27 2011

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JAMES WILLIAMS,

Plaintiff,

V.

L. CALTON,

**Defendant.**

Case No. 7:10-cv-75

## ORDER

By: Hon. Glen E. Conrad  
Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is now

**ORDERED**

that

1. the motion for summary judgment filed by the defendant is **DENIED**; and
2. the defendant is **DIRECTED** to file an answer to the Amended Complaint within ten (10) days from entry of this order.

The Clerk is directed to set this matter for trial before a seven-member jury at the court's earliest convenience. The Clerk is further directed to send copies of this order and the accompanying memorandum opinion to the plaintiff and all counsel of record.

ENTER: This 27<sup>th</sup> day of April, 2011.

John Counsel

Chief United States District Judge